

Express Mail No. EQ 685617013 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Brines *et al.*

Application No.: 09/717,057

Filed: November 21, 2000

Confirmation No.: 5119

Art Unit: 1647

Examiner: DeBerry, Regina M.

For: MODULATION OF EXCITABLE TISSUE FUNCTION BY PERIPHERALLY ADMINISTERED ERYTHROPOIETIN



**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. §1.56**

Commissioner for Patents P.O.
Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the continuing duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application which are or may be material to the patentability of any claim of the application, Attorneys for Applicants hereby direct the Examiner's attention to references FL to FO listed on the attached revised form PTO-1449. This application is a divisional of U.S. Serial No. 09/547,220, filed April 11, 2000, which claims benefit of U.S. provisional application no. 60/118,030, filed April 13, 1999 (expired). A copy of each of the identified references is provided herewith.

Identification of the listed references are not to be construed as an admission of the Applicants or Attorneys for the Applicants that such references are available as "prior art" against the subject

07/12/2006 SSITHIB1 00000041 09717057

03 FC:1806

180.00 OP

application.

The Applicants respectfully request that the Examiner review the foregoing references and that the reference be made of record in the file history of the application.

Applicants believe the fee for filing this Information Disclosure Statement is \$180.00. A credit card form is attached providing for the \$180.00 fee for the filing of the IDS in accordance with 37 C.F.R 1.17(p).

Respectfully submitted,

Date: July 18, 2006

By: Frederick J. Hamble 42623
Frederick J. Hamble (Reg. No.)

712 Kitchawan Road
Ossining, NY 10562
(914) 762-7586



PTO/SB/08B (07-05)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Complete if Known

Substitute for form 1449/PTO			
INFORMATION DISCLOSURE STATEMENT BY APPLICANT			
(Use as many sheets as necessary)			
Sheet	1	of	1
			Attorney Docket Number
			10165-010-999

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	FL	MIU et al., Behavioral Brain Research, 2004, 223-229, 155	
	FM	STURM et al., Recombinant human erythropoietin: effects on frataxin expression in vitro, European Journal of Clinical Investigation, 2005, 711-717, 35	
	FN	ERBAYRAKTAR et al., Carbamylated erythropoietin reduces radiosurgically-induced brain injury, www.molmed.org, July 2006	
	FO	S JUUL, Erythropoietin in the central nervous system, and its use to prevent hypoxic-ischemic brain damage, Acta Paediatr Suppl, 2002, 36-42, 438	

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.